

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

VASEK POSPISIL, NICHOLAS KYRGIOS,
ANASTASIA RODIONOVA, NICOLE
MELICHAR-MARTINEZ, SAISAI ZHENG,
SORANA CÎRSTEA, JOHN-PATRICK
SMITH, NOAH RUBIN, ALDILA SUTJIADI,
VARVARA GRACHEVA, TENNYS
SANDGREN, and REILLY OPELKA, on
behalf of themselves and all others similarly
situated,

-and-

THE PROFESSIONAL TENNIS PLAYERS
ASSOCIATION,

Plaintiffs,

v.

ATP TOUR, INC., WTA TOUR, INC.,
INTERNATIONAL TENNIS FEDERATION
LTD., and INTERNATIONAL TENNIS
INTEGRITY AGENCY LTD.,

Defendants.

Case No. 1:24-cv-00207-MMG

ORAL ARGUMENT REQUESTED

**NOTICE OF DEFENDANT ATP TOUR, INC.'S MOTION TO DISMISS OR, IN THE
ALTERNATIVE, TO SEVER CLAIMS AGAINST ATP UNDER F.R.C.P. 21, AND
TRANSFER PURSUANT TO 28 U.S.C. § 1404(A)**

PLEASE TAKE NOTICE that upon the accompanying memorandum of law, the declaration of Bradley I. Ruskin and the exhibits thereto, the declaration of Mark V. Young and the exhibits thereto, and upon all the pleadings and prior proceedings in this action, Defendant ATP Tour, Inc. ("ATP"), by and through their undersigned attorneys, will move this Court, before the Honorable Margaret M. Garnett located at 40 Foley Square, New York, New York 10007, on a date and time to be determined by this Court, or as soon thereafter as counsel can be heard, for an order pursuant to Federal Rules of Civil Procedure 12(b)(6), or, in the alternative, to sever pursuant to Fed. R. Civ. P. 21 and transfer to the District of Delaware pursuant to 28 U.S.C. §

1404(a), all claims against ATP, of the Complaint, ECF No. 1, as required under the mandatory forum selection clause of the ATP Bylaws, and to dismiss any claims brought by plaintiffs who played only on the WTA Tour, pursuant to Fed. R. Civ. P. 12(b)(6), as set forth in the accompanying memorandum of law.

Dated: May 20, 2025

Respectfully Submitted,

By: /s/ Bradley I. Ruskin

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